

**ENTERED**

March 21, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

NATHAN TRAHAN,

Plaintiff,

VS.

EAST COAST EQUIPMENT, INC.,

Defendant.

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CIVIL ACTION NO. 3:17-CV-279

**ORDER GRANTING DEFAULT JUDGMENT**

The plaintiff in this case, Nathan Trahan, has moved for a default judgment (Dkt. 6). The defendant, East Coast Equipment, Inc., has been served (Dkt. 4). On February 21, 2018, the Court held a hearing on Trahan's motion for a default judgment at which the Court ordered Trahan's counsel to fax and mail (via certified mail) copies of Trahan's complaint and motion for a default judgment to East Coast Equipment by noon on February 22, 2018 (Dkt. 13). Trahan's counsel has certified compliance with the Court's February 21 order (Dkt. 14). East Coast Equipment has not responded in any way.

The Court accepts as true the well-pleaded allegations contained in Trahan's complaint (Dkt. 1) and hereby **GRANTS** Trahan's motion for a default judgment (Dkt. 6). *See Nishimatsu Construction Co., Ltd. v. Houston National Bank*, 515 F.2d 1200, 1206 (5th Cir. 1975) ("The defendant, by his default, admits the plaintiff's well-pleaded allegations of fact, is concluded on those facts by the judgment, and is barred from contesting on appeal the facts thus established."). Pursuant to Federal Rule of Civil Procedure 55(a)(2), **judgment is entered for Trahan in the amount of \$103,815.00,**

**subject to post-judgment interest at the rate of 5 percent compounded annually.** The judgment includes:

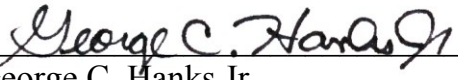
- (1) \$32,500.00 in actual damages;
- (2) \$65,000 in exemplary damages;
- (3) \$705.00 in court costs; and
- (4) \$5,610.00 in attorney's fees.

Post-judgment interest will accrue on the judgment from the date of its entry until it is paid in full.

This is a **FINAL JUDGMENT**.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 20st day of March, 2018.

  
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George C. Hanks Jr.  
United States District Judge